

Oakland Unified School District - Office of Charter Schools

Material Revision Guidelines

Last Updated: May 2, 2019

Material revisions of charter schools are governed by the standards and criteria in Education Code §47605. All charter schools authorized by Oakland Unified School District (OUSD) must consult with Office of Charter Schools (OCS) staff prior to implementing changes to their board-approved charter. Material revision requests should be submitted to the OUSD Board for approval the school year before such changes are to be instituted. Implementing material revisions to a charter without the prior approval of OUSD is a material violation of the charter and grounds for revocation.

Material Revision Categories

Educational Program: OUSD considers a request for a material revision necessary if a charter school seeks to make a material change to any of the required elements of the charter. OUSD considers the following to be among, but not limited to, those changes constituting material revisions to a school's educational program:

1. Substantial changes to the educational program, mission or vision.
2. Changing or adding a non-classroom-based program.
3. Changes in the grade levels to be served.
4. Increasing enrollment beyond that originally projected in the charter petition by one or more classrooms (20 or more students).
5. Changes of admission requirements or procedures, including changes to lottery preferences.
6. Changes to governance structure, including but not limited to, addition or removal of a layer of governance.
7. Entering into or revising a contract with a Charter Management Organization (CMO).

School Location: A change in school location is also considered a material revision. Material revisions to a school's location include:

8. Opening of a resource center, meeting space or other satellite facility with the exception of temporary spaces used for testing.
9. Addition, closure, or change of school site or facility.

Examples of common charter school changes and whether or not they require a material revision request are included at the end of this document.

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Material Revision Submission Process

1. Submit Request at an OUSD Board meeting

A complete material revision request must be submitted to the OUSD Board of Education during public comment at a regularly scheduled board meeting (found in the [Future Legislative Meetings Calendar](#) on the OUSD's Board of Education page). The petitioner must submit one hard copy of the material revision request at the board meeting.

An identical electronic copy of the material revision request should be submitted to OUSD Board staff (edgar.rakestraw@ousd.org, linda.floyd@ousd.org, oufin.saechao@ousd.org) subsequent to submitting the request at a Board meeting. Any documents or presentations to be used during the petitioners' presentation to the Board should also be emailed to Board staff at the time of submission in order to be included in future board packets. Presentations should be submitted in PowerPoint (.pptx) format. Petitioners should cc OCS staff (charteroffice@ousd.org) when submitting materials to Board staff.

2. Present at Public Hearing

Board staff will typically schedule a public hearing within 30 days of submission. OCS staff will inform the petitioners of their public hearing date and time once it is scheduled. At the public hearing, petitioners will have 15 minutes to present their request. Petitioners should be prepared to answer questions from Board members following the presentation. Questions are typically related to the changes requested by the material revision, but petitioners may also receive questions about other aspects of their charter.

3. Hold Decision Hearing

A decision hearing will be scheduled and held as close as practicable within 60 days of submission at a Board meeting. Again, OCS staff will inform petitioners of the decision hearing date once it is scheduled. A staff report and recommendation will be presented by OCS staff at the decision hearing. Petitioner interviews may be scheduled by OCS staff prior to the decision hearing to clarify issues as needed.

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What to Include in a Material Revision Request

Educational Program: Charter schools requesting a material revision to their educational program should submit the following information at the OUSD Board meeting. Charter schools should submit one (1) hard copy and one (1) identical electronic copy of all required documents listed below:

- A cover letter addressed to OUSD's Superintendent requesting a material revision to the charter and explaining the reason for the revision, the impact to the school, and the charter element(s) to be revised.
- A redlined version of the currently approved charter reflecting changes to the petition.
- Documents supporting the material revision such as certifications, lease agreements, revised organization charts or bylaws, school performance data, or other evidence that supports the change.
- Evidence that the charter school's governing board has approved the material revision request and supporting documentation, such as a signed board resolution or meeting minutes with a vote of approval.
- A reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. (Education Code section 47607(a)(2))
- A PowerPoint presentation to be used at the public hearing (optional).

School Location: Charter Schools requesting a material revision to their location should submit one (1) hard copy and one (1) electronic copy of the following:

- A completed [new school facility application form](#).
- A budget which reflects the impact of the revision for each remaining year of the charter term.
- A copy of the pre-opening walkthrough checklist and all relevant and required permits, certificates, studies, insurance, and inspections.
- A PowerPoint presentation to be used at the public hearing (optional).

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Examples of Possible Charter School Changes

The following list was created to clarify when a charter school is expected to submit a material revision request, when it is expected to simply notify the Office of Charter Schools of a change, and when neither step is required. The following are a limited sampling of the potential changes a charter school may undergo during a charter term and serve only as examples, not an exhaustive list. Please consult with Office of Charter Schools (OCS) staff regarding any major changes your charter school is considering prior to implementation.

Change	Notify OCS?	Submit Material Revision Request?
Addition of a bilingual program	Yes	Yes, Education Program
Switch from an arts-focused program to a STEM focus	Yes	Yes, Education Program
Change in Math curriculum or other instructional materials	No	No
Addition of a TK section to a school whose charter is approved for K-5	Yes	Yes, Education Program
Addition of a lottery preference for students from the neighborhood	Yes	Yes, Education Program
Re-ordering of lottery preferences	Yes	Yes, Education Program
Addition of staff and interventions to support chronically absent students	No	No
Termination of staff due to a concern for student safety	Yes	No
Change in school leader	Yes	No
Addition of an afterschool program provider	Yes	No
Moving to a new building	Yes	Yes, Location
Separating from a CMO	Yes	Yes, Education Program
Revising board bylaws	Yes	No
Adding 1 board member	Yes	No